

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
APCO LIQUIDATING TRUST AND APCO MISSING STOCKHOLDER TRUST,	Case No. 05-12355 (BLS)
Debtors.	Jointly Administered
CITY OF WICHITA KANSAS,	
Plaintiff-Appellant,	
v.	Civil Action No. 07-cv-00474 (GMS)
JOHN G. MCMILLIAN, LIQUIDATION TRUSTEE TO APCO LIQUIDATING TRUST AND APCO MISSING STOCKHOLDERS TRUST,	
Defendant-Appellee.	

STIPULATION AND ORDER OF DISMISSAL OF APPEAL

IT IS HEREBY STIPULATED AND AGREED by and between John G. McMillian, as liquidation trustee (the "Liquidation Trustee") to the liquidation trust created pursuant to the *Apco Liquidating Trust and Apco Missing Stockholders Trust Liquidation Trust Agreement*, dated January 26, 2006, for Apco Liquidating Trust and Apco Missing Stockholder Trust and the City of Wichita, Kansas (referred to herein as "Wichita"), that the appeal referenced in the above-captioned action is hereby dismissed pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure and Rule 8001(c)(2) of the Federal Rules of Bankruptcy Procedure, with prejudice and without costs as against the parties to this stipulation, and it is further

STIPULATED AND AGREED that, this stipulation may be executed in any number of counterparts, each of which shall be deemed an original instrument, but all of which together shall constitute one and the same instrument. A signature page delivered by facsimile or electronic mail shall have the same effect as an original signature page.

Dated: April 17, 2008
Wilmington, Delaware

FOR THE JOHN G. MCMILLIAN,
LIQUIDATION TRUSTEE TO APCO
LIQUIDATING TRUST AND APCO
MISSING STOCKHOLDERS TRUST:

By: 

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TO APCO LIQUIDATING TRUST AND
APCO MISSING STOCKHOLDERS
TRUST, APPELLEE

Dated: April 16, 2008
Wilmington, Delaware

FOR CITY OF WICHITA, KANSAS:

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SO ORDERED this ____ day of _____, 2008

The Honorable Gregory M. Sleet
United States District Court Judge